

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

VICENTE AGAPITO VEGA,

Plaintiff,

vs.

CAROLYN W. COLVIN, Commissioner  
of Social Security,

Defendant.

CASE NO. 14cv1485-LAB (DHB)

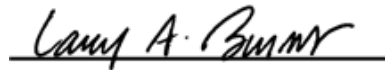
**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

Pursuant to 28 U.S.C. § 636(b) and Civil Local Rules 72.1(c) and (d), this social security appeal was referred to Magistrate Judge Bartick for a Report and Recommendation (“R & R”). Now pending before the Court are cross motions for summary judgment. (Docket nos. 16 and 20.) Judge Bartick issued his R & R on November 12, 2015, concluding that the Commissioner's motion should be granted and Vega's motion should be denied. (Docket no. 23.) Vega had until November 30, 2015 to file an objection. He failed to file one, though, which is of substantial consequence. See Fed. R. Civ. P. 72(b)(3) (“The district judge must determine de novo any part of the magistrate judge's disposition that has been properly objected to.”); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) (district judge “must review the magistrate judge's findings and recommendations de novo if objection is made, but not otherwise”). The Court has also independently reviewed Judge Bartick's R & R and finds it be thorough and well-reasoned. The Court therefore **ADOPTS**

1 the R & R in its entirety, and the Commissioner's summary judgment motion is **GRANTED**  
2 while Vega's is **DENIED**.

3 **IT IS SO ORDERED.**

4 DATED: December 1, 2015

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6 **HONORABLE LARRY ALAN BURNS**  
7 United States District Judge  
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